

Debtors' Ex. 84

(J.H.R. 403)

[No. 104]

[*Approved on December 13, 2013*]

JOINT RESOLUTION

To authorize the Office of the Superintendent of the Capitol to establish, during Fiscal Year 2013-2014, a credit line to incur commitments and obligations up to the sum of fifteen million dollars (\$15,000,000.00), in order to carry out permanent works and improvements in the Capitol District; to provide that the Government of the Commonwealth of Puerto Rico will honor, through budgetary allocations recorded in the Expenditure Budget of the Commonwealth of Puerto Rico each fiscal year, the payment of the obligations authorized herein; and for other related purposes.

PREAMBLE

The Capitol building, headquarters of the Puerto Rico Legislature, is one of vital historical importance to our People and warrants that the area where it is located be in harmony and serve to complement the development initiatives in that area. This area includes the buildings of the legislative headquarters, as well as several structures and spaces of high historical and cultural value, destined for public interest uses in the deeds of segregation that gave way to their development.

On its part, the Office of the Superintendent of the Puerto Rico Capitol, created pursuant to Law No. 4 of July 21, 1977, as amended, is the entity responsible for the conservation, maintenance, expansion, construction, remodeling, and similar activities required to keep the physical plant and the surroundings of the State Capitol in optimal conditions. The Office, in the exercise of its duties and obligations, has proposed over the years the realization of projects such as the restoration of the former Tropical Medicine building and the San Juan Bautista Plaza, as well as the stained glass and bronze windows of the Capitol, the reforestation of gardens, the construction of parking spaces, and the reconstruction of the Annex buildings of the House of Representatives and the Puerto Rico Senate.

Consonant with the foregoing, through Law 43-2011, the area where the Capitol building is located and other structures that are part of the Legislative Assembly were designated and named the Capitoline District. The Office of the Superintendent of the Capitol was also required to develop and implement a conservation, restoration,

maintenance, and development plan for the area, consonant with the development of the San Juan Islet.

At present, the Office of the Superintendent has under its responsibility the maintenance of thirteen (13) buildings, which, because they are old structures under intensive use, require continuous maintenance and that improvements be made to the existing structures. That, because despite their eminent historical and cultural value, the allocation of funds for their maintenance has not been a real priority of the past legislative administrations. On the other hand, because they are located on an islet, saltpeter and winds severely impact the buildings that make up the Capitoline District.

In fact, the District's main building, the Capitol, needs to have preservation and conservation work done. Not doing such works on these items represents a risk to the health and lives of the visitors and employees. See the study called OPQ Architects, CSP, *Present Capitol Risk and Funding Needs 2012: Critical Projects for Historical Preservation*. Detailed therein is an obvious growing deterioration of the exterior elements of the Capitol. The deterioration has manifested itself in corrosion, stains, and recurring ungluing of decorative molding. It is estimated that the risk of collapse of the terracotta jagged edges that adorn the structure is 62.5%. Likewise, there are structural cracks in the ceilings that generate leaks, moisture, and damage to the marble and metal supports. The significant damage caused by water and corrosion on the outside of the structure is evident.

The current state of these structures has been the subject of coverage in the media of general circulation, which have also reported that the dome of the historical Capitol building suffers from a significant level of deterioration at an inner level due to the ungluing of the material of which it consists. Several media have also reported and confirmed that the multiple plates that sustain the roofs of the Chambers of the House of Representatives and the Senate are becoming unglued. For example, among other deficiencies, there is a gap of more than six inches in one of the rosettes near the dome, right in the most emblematic and beautiful part of the building, and obvious corrosion of the building's windows. In addition, its state of deterioration makes the structure more prone to inclement weather. This was reflected with the torrential downpours of June and July of this year, which served to dramatically reveal the magnitude of the filtration problem that exists on the roof of the Capitol, since they caused large puddles in corridors on the third floor, close to the area of the rotunda and where the bronze busts of the governors are located.

The importance of correcting the deficiencies of the building, which is visited by thousands of people monthly, is unquestionable. The Capitol building is an essential part of our Country's history and is a legacy that we must preserve for present and future generations.

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Therefore, it is imperative to make significant repairs in accordance with its historical nature, and to waterproof the roofs of the Capitol. Likewise, it is necessary to restore the friezes and rosettes affected by water and moisture, due to cracks in the ceiling. In addition, among the necessary and imminent improvements that must be done are, among others, structural and other kinds of improvements to the Luis A. Ferré building and the annexes thereto, as well as different works and improvements to the existing buildings. The majority of the improvements that need to be done are vital to guarantee the safety of those who visit or work in these facilities.

After examining different alternatives to finance the permanent works and improvements that must be done to the buildings that make up the Capitoline District, it is understood that the best way is to establish a credit line of fifteen million dollars (\$15,000,000.00), under the terms agreed to by the Government Development Bank for Puerto Rico and the Office of Management and Budget to finance the aforementioned permanent works and improvements. The payments to pay off this debt will be honored through annual allocations from the General Fund and consigned in the Expenditure Budget of the Commonwealth of Puerto Rico, as of Fiscal Year 2014-2015, in accordance with the amount agreed upon by the Government Development Bank for Puerto Rico and the Office of Management and Budget, taking into consideration in each year the balance of the appropriate principal and interest.

BE IT RESOLVED BY THE PUERTO RICO LEGISLATURE:

Section 1.-The Office of the Superintendent of the Capitol is authorized to establish during Fiscal Year 2013-2014 a credit line to incur commitments and obligations up to the sum of fifteen million dollars (\$15,000,000.00), under such terms and conditions agreed to between the Government Development Bank for Puerto Rico and the Office of Management and Budget. The purpose of this line of credit will be to carry out permanent works and improvements in the Capitoline District, including the expenses connected therewith. The Government Development Bank for Puerto Rico is authorized to sound out alternatives for the financing of the aforementioned obligation with private banks.

Section 2.-The payments to pay off this debt will be honored through annual budgetary allocations from the General Fund, as of Fiscal Year 2014-2015 and ending in the Fiscal Year 2023-2024, according to the amount agreed upon by the Government Development Bank for Puerto Rico and the Office of Management and Budget, taking into consideration in each year the balance of principal owed and interest. To those ends, for Fiscal Years 2014-2015 to 2023-2024, consigned in the Expenditures Budget of the Commonwealth of Puerto Rico, submitted annually by the Governor of Puerto Rico to the Legislature, will be the amount agreed upon with the Government Development

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Bank for Puerto Rico for the amortization of the obligation authorized in Section 1 of this Joint Resolution and the payment of interest accrued each year.

Section 3.-If any article, section, paragraph, subsection, clause, and subclause or part of this Joint Resolution were annulled or declared unconstitutional by a competent court, the judgment entered to that effect will not affect, be prejudicial to, or invalidate the remaining provisions and parts of the rest of this Joint Resolution.

Section 4.- This Joint Resolution will enter into effect immediately after its approval.

Approved on December 13, 2013.

CERTIFICATION

I, OLGA M. ALICEA, AN ENGLISH-SPANISH INTERPRETER AND TRANSLATOR CERTIFIED TO THAT EFFECT BY THE ADMINISTRATIVE OFFICE OF THE U.S. COURTS AND BY THE NATIONAL ASSOCIATION OF JUDICIARY INTERPRETERS & TRANSLATORS (NAJIT), DO HEREBY CERTIFY THAT I HAVE PERSONALLY TRANSLATED THE FOREGOING DOCUMENT FROM SPANISH TO ENGLISH AND THAT THE TRANSLATION IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND ABILITIES.

S/ OLGA M. ALICEA

OLGA M. ALICEA, FCCI, NJITCE-S
FED. CERT. No. 98-005

JANUARY 14, 2020

DATE
REF: OB-PI701.000